

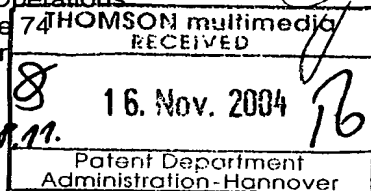
From the  
 INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF  
 THE INTERNATIONAL PRELIMINARY  
 EXAMINATION REPORT  
 (PCT Rule 71.1)

To:

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Date of mailing  
 (day/month/year)

12.11.2004 IPER VSW

Applicant's or agent's file reference  
 PD020075 ✓

IMPORTANT NOTIFICATION

International application No.  
 PCT/EP 03/06559

International filing date (day/month/year)  
 21.06.2003

Priority date (day/month/year)  
 31.07.2002

Applicant  
 THOMSON LICENSING S.A.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international preliminary examining authority:



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# PATENT COOPERATION TREATY



## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference PD020075	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/EP 03/06559	International filing date (day/month/year) 21.06.2003	Priority date (day/month/year) 31.07.2002
International Patent Classification (IPC) or both national classification and IPC H04L12/28		
Applicant THOMSON LICENSING S.A.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.  
  
☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  
  
 These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:
  - I ☒ Basis of the opinion
  - II ☐ Priority
  - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - IV ☐ Lack of unity of invention
  - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - VI ☐ Certain documents cited
  - VII ☐ Certain defects in the international application
  - VIII ☐ Certain observations on the international application

Date of submission of the demand  19.11.2003	Date of completion of this report  12.11.2004
Name and mailing address of the international preliminary examining authority:   European Patent Office - Gitschiner Str. 103 D-10958 Berlin Tel. +49 30 25901 - 0 Fax: +49 30 25901 - 840	Authorized Officer  Siebel, C  Telephone No. +49 30 25901-485  

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/EP 03/06559**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

1-14 as originally filed

**Claims, Numbers**

1-11 received on 27.03.2004 with letter of 25.03.2004

**Drawings, Sheets**

1/1 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/EP 03/06559**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-11
	No: Claims	
Inventive step (IS)	Yes: Claims	1-11
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

**see separate sheet**

**Re Item V**

**Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Reference is made to the following document which was not cited in the international search report, however cited in the application (see eg pg. 6, I. 9).

D2: IEEE Std 1394-1995, IEEE standard for a high performance serial bus, pages 20, 23, XP864298

2. The document D2 is regarded as being the closest prior art to the subject-matter of claim 1, and shows (the references in parentheses applying to this document) a method for performing communication on a bus structured network (the IEEE 1394-1995 bus, D2, pg. 20, fig. 3-2) between a first device and a number of second devices the communication protocol allowing two types of communication, namely

- asynchronous data communication (D2, pg. 23, section 3.4.1) and
- isochronous data communication for real time data streaming (D2, pg. 23, section 3.4.1)

The subject-matter of claim 1 differs from this known D2 in that the isochronous data communication is used also for certain type of control communication between the first device and at least one of the second devices.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as how to timely and synchronously (in case that the control communication information is intended for several second devices) communicate control information to second devices.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons:

Using asynchronous communication for the transfer of control information could lead to late or differed arrival of control information as isochronous communication have a higher priority. Hence, eg two loudspeaker may have different volumes for a longer period.

3. The same reasoning applies, mutatis mutandis, to the subject-matter of the

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/EP 03/06559

corresponding independent claim 7, which therefore is also considered as being new and inventive.

4. Claims 2-6 and 8-11 are dependent on claim 1 and 7 respectively and as such also meet the requirements of the PCT with respect to novelty and inventive step.

5. The amendments filed with the letter dated 25.3.2003 concerning claim 6 contain an obvious error: in claim 6, the "second" and "first" device were exchanged mutually. Hence, the examination is based on the newly filed claim 6, however in which "first" and "second" were mutually reexchanged (back) to reobtain the same content as in the originally filed claim.

**New Patent Claims**

1. Method for performing communication on a bus structured network between a first device (AV1) and a number of  
5 second devices (AV2, PC, LSi, LSij, Dij, DSi) the communication protocol allowing two types of communication, namely asynchronous data communication for control communication and isochronous data communication for real-time data streaming ,  
10 **characterized** in that the isochronous data communication is used also for a certain type of control communication between the first device (AV1) and at least one of the second devices (AV2, PC, LSi, LSij, Dij, DSi).
- 15 2. Method according to claim 1, **characterized** in that said certain type of control communication involves communicating a control command to said at least one second device for controlling a functionality having an effect of being directly recognisable in case said  
20 control command being non-timely executed in said at least one second device.
3. Method according to claim 2, characterized in that said control command is for controlling an audible parameter  
25 for a number of loudspeakers or for controlling a visible parameter for controlling a number of displays.
4. Method according to one of claims 1 to 3, characterized in that said certain type of control communication (CIV, CIB) is sent in a repeated manner.  
30
5. Method according to one of claims 1-4, characterized in that disturbance on the communication network is detected, its degree is determined, and, depending on  
35 said degree of disturbance, the use of isochronous data

communication for the certain type of control communication is reduced.

5 6. Method according to one of claims 1-5, characterized in that in said certain type of control communication control information (CIV, CIB) which is to be issued by a first device (AV2, PC, LSi, LSij, Dij, DSij) to several other devices (AV1, AV2, PC, LSi, LSij, Dij, DSij) is issued by means of asynchronous data  
10 communication to a second device (AV1), which transmits it to the other devices (AV2, PC, LSi, LSij, Dij, DSij) by means of isochronous data communication.

15

7. Network station for performing the method according to one of claims 1-6 having an interface to the network, having means for performing asynchronous data communication for control communication and having means  
20 for performing isochronous data communication for real time data streaming, **characterized** in that communication means are provided for using said isochronous data communication for performing a control communication for a certain type of control information (CIV, CIB).

25

8. Network station according to claim 7, wherein said communication means include means for transmitting said certain type of control information (CIV, CIB) onto an isochronous channel and/or for receiving said certain  
30 type of control information (CIV, CIB) from an isochronous channel.

9. Network station according to claim 7 or 8, wherein said control communication for a certain type of control  
35 information (CIV, CIB) involves communicating a control



command (CIV, CIB) to at least one other network station  
for controlling a functionality having an effect of  
being directly recognisable in case said control command  
being non-timely executed in said at least one other  
5 network device (AV1, AV2, PC, LSij, DSij).

10. Network station according to one of claims 7 to 9,  
wherein said control command is for controlling an  
audible parameter for a number of loudspeakers (LSij) or  
10 for controlling a visible parameter for controlling a  
number of displays (Di, DSij).

11. Network station according to one of claims 7 to 10,  
wherein the network interface is an IEEE-1394-network  
15 interface.